

HOUSE BILL No. 1333

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-12-3-1; IC 21-13; IC 21-14-4-2; IC 21-16-1-8.

Synopsis: Higher education financial assistance. Provides that the commission for higher education: (1) may consider only the residency status of a student; and (2) may not consider the residency status of the student's parents or legal guardian even if the student is considered a dependent for purposes of federal or state financial aid; for purposes of eligibility for the National Guard tuition supplement program and the National Guard scholarship extension program. Provides that for an applicant to be eligible for a first year higher education award, the applicant not be eligible for a National Guard tuition supplement grant or a scholarship under the National Guard scholarship extension program. Amends the cumulative grade point average requirements for certain tuition and fee exemptions for children of veterans. Amends the definition of "eligible student" for purposes of the employment aid readiness network (EARN) Indiana program.

Effective: July 1, 2015.

Truitt

January 13, 2015, read first time and referred to Committee on Education.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1333

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 21-12-3-1, AS AMENDED BY P.L.281-2013,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 1. (a) An applicant is eligible for a first year
4 higher education award under this chapter if the student meets the
5 following requirements:
6 (1) The applicant is a resident of Indiana, as defined by the
7 commission.
8 (2) The applicant:
9 (A) has successfully completed the program of instruction at
10 an approved secondary school;
11 (B) has been granted a:
12 (i) high school equivalency certificate before July 1, 1995;
13 or
14 (ii) state of Indiana general educational development (GED)
15 diploma under IC 20-10.1-12.1 (before its repeal),



- 1 IC 20-20-6 (before its repeal), or IC 22-4.1-18; or
 2 (C) is a student in good standing at an approved secondary
 3 school and is engaged in a program that in due course will be
 4 completed by the end of the current academic year.
- 5 (3) The financial resources reasonably available to the applicant,
 6 as defined by the commission, are such that, in the absence of a
 7 higher education award under this chapter, the applicant would be
 8 deterred from completing the applicant's education at the
 9 approved postsecondary educational institution that the applicant
 10 has selected and that has accepted the applicant. In determining
 11 the financial resources reasonably available to an applicant to
 12 whom IC 21-18.5-4-8 applies, the commission must consider the
 13 financial resources of the applicant's legal parent.
- 14 (4) The applicant will use the award initially at that approved
 15 postsecondary educational institution.
- 16 (5) If the student is already enrolled in an approved postsecondary
 17 educational institution, the applicant must be a full-time student
 18 and be making satisfactory progress, as determined by the
 19 commission, toward a first baccalaureate degree.
- 20 (6) The student declares, in writing, a specific educational
 21 objective or course of study and enrolls in:
- 22 (A) courses that apply toward the requirements for completion
 23 of that objective or course of study; or
 24 (B) courses designed to help the student develop the basic
 25 skills that the student needs to successfully achieve that
 26 objective or continue in that course of study.
- 27 (7) The student is not eligible to receive a twenty-first century
 28 scholarship under IC 21-12-6.
- 29 **(8) The student is not eligible to receive a:**
- 30 **(A) National Guard tuition supplement grant under**
 31 **IC 21-13-4; or**
 32 **(B) scholarship under the National Guard scholarship**
 33 **extension program under IC 21-13-5.**
- 34 (b) This subsection applies to an individual who:
- 35 (1) meets the requirements set forth in subsection (a); and
 36 (2) before the date that eligibility is determined by the
 37 commission, has been placed by or with the consent of the
 38 department of child services, by a court order, or by a licensed
 39 child placing agency in:
- 40 (A) a foster family home;
 41 (B) the home of a relative or other unlicensed caretaker;
 42 (C) a child caring institution; or



1 (D) a group home.
 2 The commission shall consider an individual to whom this subsection
 3 applies as a full-need student under the commission's rules when
 4 determining the eligibility of the individual to receive financial aid
 5 administered by the commission under this chapter.

6 SECTION 2. IC 21-13-1-4, AS ADDED BY P.L.2-2007, SECTION
 7 254, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2015]: Sec. 4. "Eligible student" for purposes of section 8 of this
 9 chapter, means a person who:

- 10 (1) is a member of the Indiana National Guard:
 11 (A) in active drilling status; and
 12 (B) who has not been absent without leave within the twelve
 13 (12) months immediately preceding the date the person applies
 14 for a tuition scholarship under this chapter;
 15 (2) does not possess a bachelor's degree from an approved
 16 postsecondary educational institution;
 17 (3) possesses the requisite academic qualifications;
 18 (4) meets the requirements of the state educational institution in
 19 which the person is enrolled or will enroll; and
 20 (5) meets all other eligibility requirements as determined by the
 21 commission.

22 SECTION 3. IC 21-13-1-8, AS ADDED BY P.L.2-2007, SECTION
 23 254, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 24 1, 2015]: Sec. 8. "Scholarship applicant", for purposes of IC 21-13-4,
 25 means a person who:

- 26 (1) is an eligible student;
 27 (2) is a resident of Indiana **as determined by the commission**
 28 **under IC 21-13-4-1.5;**
 29 (3) has been accepted to attend a state educational institution as
 30 a full-time or part-time student;
 31 (4) has been certified to have met all National Guard
 32 requirements; and
 33 (5) according to commission requirements, has timely filed an
 34 application for any federal and state financial assistance available
 35 to the person to attend a state educational institution.

36 SECTION 4. IC 21-13-1-9, AS ADDED BY P.L.144-2007,
 37 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 9. "Scholarship extension applicant", for purposes
 39 of IC 21-13-5, means a person who:

- 40 (1) is a former member of the Indiana National Guard who was
 41 called to active duty at least one (1) time while a member of the
 42 Indiana National Guard;



1 (2) was a scholarship applicant when the person was called to
2 active duty;

3 (3) is a resident of Indiana **as determined by the commission**
4 **under IC 21-13-4-1.5;**

5 (4) has been accepted to attend a state educational institution as
6 a full-time or part-time student; and

7 (5) according to commission requirements, has timely filed an
8 application for any federal and state financial assistance available
9 to the person to attend a state educational institution.

10 SECTION 5. IC 21-13-4-1.5 IS ADDED TO THE INDIANA CODE
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2015]: **Sec. 1.5. In determining whether an eligible student is a**
13 **resident of Indiana for purposes of eligibility for a grant under this**
14 **chapter or a scholarship under IC 21-13-5, the commission:**

15 (1) **may consider only the residency status of the student; and**

16 (2) **may not consider the residency status of the student's**
17 **parents or legal guardian even if the student is considered a**
18 **dependent for purposes of federal or state financial aid.**

19 SECTION 6. IC 21-14-4-2, AS AMENDED BY P.L.169-2011,
20 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 2. (a) Subject to this section and section 2.5 of this
22 chapter, an eligible applicant is entitled to enter, remain, and receive
23 instruction in a state educational institution upon the same conditions,
24 qualifications, and regulations prescribed for other applicants for
25 admission to or scholars in the state educational institutions, without
26 the payment of any educational costs for one hundred twenty-four (124)
27 semester credit hours in the state educational institution.

28 (b) The maximum amount that an eligible applicant is exempt from
29 paying for a semester hour is an amount equal to the cost of an
30 undergraduate semester credit hour at the state educational institution
31 in which the eligible applicant enrolls.

32 (c) This subsection applies only to an individual who qualifies for
33 a benefit under this chapter because of a father or mother (or in the
34 case of section 1(1) of this chapter, a related member) who enlisted or
35 otherwise initially served in the armed forces of the United States after
36 June 30, 2011. This subsection applies to a student who initially enrolls
37 in an eligible institution for a semester (or its equivalent) beginning
38 after June 30, 2012. Subject to subsection (d), any benefits awarded
39 under this chapter may not be renewed, subject to subsections (a) and
40 (b), if the eligible individual fails to maintain at least the following a
41 cumulative grade point average

42 (†) **For credit hours applicable to the equivalent of the applicant's**



- 1 freshman academic year; a cumulative grade point average that
2 the eligible institution determines is satisfactory academic
3 progress.
- 4 (2) For credit hours applicable to the equivalent of the applicant's
5 sophomore academic year; a cumulative grade point average of
6 2.25 on a 4.0 grading scale or its equivalent as established by the
7 eligible institution.
- 8 (3) For credit hours applicable to the equivalent of the applicant's
9 junior or senior academic year; a cumulative grade point average
10 of 2.5 on a 4.0 grading scale or its equivalent as established by the
11 eligible institution.
- 12 (d) After the first semester or its equivalent at the eligible institution
13 that a person does not achieve the requisite cumulative grade point
14 average specified in subsection (c), the person is considered to be on
15 probation and must achieve the requisite cumulative grade point
16 average by the next semester or its equivalent at the eligible institution
17 in order to continue to receive benefits under this chapter.
- 18 (e) Notwithstanding any other provision of this chapter or another
19 law, a change in the criteria for or the amount of a benefit awarded
20 under this chapter enacted in the 2011 session of the general assembly
21 applies only to an individual who qualifies for a benefit under this
22 chapter because of a father or mother (or in the case of section 1(1) of
23 this chapter, a related member) who enlisted or otherwise initially
24 served in the armed forces of the United States after June 30, 2011.
- 25 SECTION 7. IC 21-16-1-8, AS AMENDED BY P.L.272-2013,
26 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2015]: Sec. 8. "Eligible student" means a student who:
- 28 (1) has been offered a financial aid award from the commission
29 under IC 21-12-3, IC 21-12-4, or IC 21-12-6 for the current
30 academic year; and
- 31 (2) (1) is enrolled as a full-time student at an approved institution
32 of higher education in Indiana;
- 33 (2) completes a Free Application for Federal Student Aid;
- 34 (3) meets financial eligibility requirements based on the
35 student's financial aid application, regardless of the date on
36 which the application is filed; and
- 37 (4) meets any other criteria established by the commission.

